

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

RODNEY USHERY
Plaintiff,

-vs-

Case No. C-1-03-933

MICHAEL SHEETS
Defendant,

JUDGMENT IN A CIVIL CASE

Jury Verdict.

This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that the Report and Recommendation of the Magistrate dated February 2, 2006 is ADOPTED Plaintiff's Petition for Writ of Habeas Corpus (doc. 1) is DENIED WITH PREJUDICE. A certificate of appealability should not issue. An appeal of this matter would not be taken in good faith, and therefore Deny petitioner leave to appeal in forma pauperis. This case is DISMISSED and TERMINATED on the docket of this Court.

Date: August 24, 2006

JAMES BONINI, CLERK

By:s/ Paul Hennessey
Paul Hennessey, Deputy Clerk

